

Book VII.
Title LVIII.

If a decision was given as a result of false documents and testimony.¹
(Si ex falsis instrumentis vel testimoniis iudicatum erit.)

Bas. 9.3.102.

7.58.1. Emperor Severus and Antoninus to Vipsania.

If you want to raise the claim that the testament which the proconsul accepted as valid in rendering his decision is in fact forged, he will give you a hearing without reference to any claim of *res iudicata*, since the question of forgery has not yet been tried.

7.58.2. Emperor Alexander to Optatus.

If a parties can prove that they were defeated as a result of a forged document, they will be heard anew in the cause when they have shown the crime, even though they took no appeal in the case.

7.58.3. The same to Clemens.

You are not forbidden to show, in the usual manner, the false evidence which you allege was used by your opponent against you in the trial. But the judgment does not become void, unless you can prove that the judge had decided against you, relying on the validity of the document which is shown to be forged.

Promulgated August 26.

Note.

According to a rescript of the Emperor Hadrian, if it was shown that judgment was obtained as a result of corrupted testimony, it was set aside and the matter restore to its former condition. D. 42.1.33; headnote C. 2.21.

7.58.4. Emperor Gordian to Herennius.

Execution of the judgment will usually be suspended and a right granted to recover money already paid, if any accusation of forgery is made after the rendition of the judgment and it is proven by clear evidence that the judge was misled by forged documents.

Promulgated September 9.

¹ [Blume] See note to C. 7.49.2.